IN THE HIGH COURT OF JUDICATURE AT BOMBAY,

NAGPUR BENCH, NAGPUR

Criminal Revision Application No.122 of 2006

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Judge, Pusad.

The learned Judge has refused to give credence to the victim's evidence observing that the victim had alleged that the accused have enmity with him and therefore, since enmity is a double edged weapon, false implication could not be ruled out. The learned Judge has further observed that recovery u/s.27 of the Evidence Act is not proved as the panchas did not support the prosecution. The learned Judge observed that the injuries could as well be caused in an accident and that the victim could have taken advantage of those injuries to implicate the accused. Since the reasons given by the learned 2nd Ad-hoc Additional Sessions Judge, while acquitting the accused nos. 2 to 12, cannot be said to be perverse or based on inadmissible evidence, interference in exercise of revisional jurisdiction is uncalled for and hence, the revision application is rejected.

JUDGE

jaiswal